Agenda Item No. 8.0



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MEMORANDUM

To: Regional Coordinating Committee

From: CMAP Staff

Date: March 6, 2013

Re: State Legislative Update

The 98th General Assembly, now in its second month, has introduced over 6,000 bills. The deadlines for the introduction of substantive bills passed in both the House and the Senate in February; next, bills must pass out of committee by March 22. CMAP staff is monitoring the progress and analyzing bills with particular relevance to the agency. Bills included in the following pages of this memorandum either impact CMAP's 2013 State Legislative Framework and Agenda or are of interest to CMAP and its partners. CMAP staff recommends positions on several particularly germane bills that either further the implementation of GO TO 2040 or run directly counter to CMAP's goals for the region.

Staff will continue to closely monitor legislative initiatives that are particularly relevant to CMAP's Legislative Agenda. Regarding the state's fiscal health, the General Assembly is still negotiating numerous proposals to reform the state's pension system. Second, early conversations have begun about the need for a new capital bill for transportation. CMAP is involved in these conversations, but stresses that investment in the state's transportation must be based on transparent evaluation criteria that support the needs of an economically competitive state and include key stakeholders, like MPOs. To help improve processes for allocating existing transportation funds, one proposal, House Bill 1549, would compel IDOT to implement an expanded approach to performance-based programming. A recent policy update conducts a thorough review of the bill as it was introduced. CMAP supports this bill and is actively working to with others to advance it. Finally, on Friday, March 1, Governor Quinn issued Executive Order 1303 to create a steering committee and state agency taskforce to guide and implement the Millennium Reserve: Calumet Core Initiative. The governor appointed one representative of CMAP to serve on the steering committee; a recent policy update describes the effort's objectives and the membership of both the steering committee and taskforce.

On March 6, Governor Quinn delivered his budget address to the General Assembly. The April legislative memo will include analysis on proposals that impact CMAP and its partners.

ACTION REQUESTED: Discussion

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March 2013 Legislative Summary

| Subject | Bill | Summary | Status | Agency Position |
|------------------------------------|------------------|--|--|--------------------|
| PURSUE CO | ORDINAT | TED INVESTMENTS | | |
| Township Dissolution Local | HB1491 HB2481 | Dwight Kay (R-Edwardsville) Allows townships that are wholly contained within a municipality to be dissolved by referendum, with township powers and duties assumed by the municipality. Dennis Reboletti (R-Addison) | 02/19/2013 House Assigned to Counties & Townships Committee 02/20/2013 | |
| Government Dissolution | HD2481 | Gives county boards the power to dissolve local units of government. | House Referred to Rules Committee | |
| Local Government Dissolution | HB3251 | Jack D. Franks (D-Woodstock) Allows dissolution of local governmental units by voter referendum. | 02/26/2013 House Referred to Rules Committee | |
| Township Dissolution | SB1585 | Daniel Biss (D-Skokie) Provides a process by which a single township within a county under township organization could dissolve. Currently, state statute does not provide a clear route to dissolving one township within a county that is under township organization. State statute only provides a mechanism for the dissolution of townships on a countywide basis. Under the bill, upon petition of at least 10 percent of registered voters in the township, a proposition to discontinue and abolish the township and transfer its responsibilities to the county would be put to a vote countywide. If the proposition passes countywide, then the township would be abolished. All responsibilities and taxing authority of the township would be transferred to the county. | 02/27/2013 Senate Assigned to Executive | |
| Funding | HB1295 | Al Riley (D-Hazel Crest) Amends the Illinois Urban Development Authority Act (IUDAA), to expand the scope of permissible activities to include development, financing, and maintenance of transportation projects. The bill does not provide new revenue sources for redevelopment activities. Note that the | 02/27/2013 House Placed on Calendar 2nd Reading - Short Debate | |

| Subject | Bill | Summary | Status | Agency Position |
|-------------------------|--------|--|---|--------------------|
| | | IUDAA allows the Authority to issue revenue bonds, with a total cap of \$500 million, and to make loans. These bonds are to be repaid through revenues or income derived from loans issued, the leasing or sale of projects, or other sources. This addresses redevelopment in existing communities, it also supports preservation of land for both farm and or green redevelopment it and has a direct impact on our goal to increase and expand more open space in our region. The bill could also increase resources available for transportation investments in existing communities. | | |
| Performance Measures | HB1549 | Elaine Nekritz (D-Buffalo Grove) Compels IDOT to implement an expanded approach to performance-based programming. Establishes a Technical Advisory Group, the timeline for a report in FY 2014 and implementation beginning in FY 2015, and the ongoing reporting requirements as part of IDOT's Highway Improvement Program. The State Technical Advisory Group would be charged with determining the details of performance-based programming: defining project types, identifying clear performance measures, developing methodologies to tie performance measures to programming decisions, and developing methodologies to incorporate qualitative input from the state's MPOs into the evaluation process. Further, the bill includes language that would formalize the participation of MPOs in the state programming | 02/20/2013 House Assigned to Transportation: Regulation, Roads & Bridges Committee | Support |
| Motor Fuel Tax | HB2433 | David Harris (R-Mount Prospect) Exempts motor fuel and gasohol sales from sales taxes. It would increase the state motor fuel tax rate from the current 19 cents per gallon to 38 cents per gallon. HB 2433 would direct 15 cents per gallon of the increased MFT to the General Revenue Fund, 0.8 cents per gallon to the County and Mass Transit District Fund, and 3.2 cents per gallon to the Local Government Tax Fund. This bill would establish a precedent of diverting transportation user fees to non-transportation purposes, and as such runs directly counter to the recommendations of GO TO 2040. Further, by reducing the total sales tax base in the State, this bill would reduce revenues for transit and local government services. | 02/25/2013 House Assigned to Revenue & Finance Committee | Oppose |

| Subject | Bill | Summary | Status | Agency Position |
|----------------------------|--------|---|---|--------------------|
| 55/45 Split | HB2460 | Luis Arroyo (D-Chicago) Requires IDOT to appropriate 50% of all Road Fund monies to District 1 and 50% among Districts 2 through 9. This bill would provide a legislative response to the longstanding, non-statutory "55/45 split". This bill codifies a form of the old 55/45 arguments that do not serve the interests of our region or the State. GO TO 2040 does not support new arbitrary formulas, but rather calls for performance-based funding. | 02/20/2013 House Referred to Rules Committee | Oppose |
| Design-Build | HB3132 | Jack D. Franks (D-Woodstock) Provides that the Design-Build Procurement Act also applies to the Department of Transportation. | 02/26/2013 House Referred to Rules Committee | |
| Road Fund/ No Transfers | SB29 | Pamela J. Althoff (R-McHenry) Prohibits any sweeps, administrative charges, or other maneuvers that would transfer any funds out of the Motor Fuel Tax Fund, State Construction Account Fund, the Public Transportation Fund, the Downstate Public Transportation Fund, the RTA Occupation and Use Tax Replacement Fund, and the Road Fund. Further, the bill would amend the RTA Act to delete language that currently allows monies to be appropriated from the PTF to the Office of the Executive Inspector General. Rather, the bill provides that the Office of the EIG may submit invoices to the RTA for costs incurred. CMAP supports protected, dedicated funding sources for transportation, as well as the user-fees principle in transportation finance. However, there may be unintended consequences of this legislation. For example, restricting these funds may complicate IDOT's and RTA's management of cash flow. | 02/07/2013 Senate Assigned to Appropriations II | |
| Design-Build | SB1647 | Kwame Raoul (D-Chicago) Create a demonstration program for design-build (DB) and construction manager/general contractor (CM/GC) project delivery approaches. The bill would allow IDOT to enter into as many as five DB contracts and five CM/GC contracts. The Act would allow IDOT greater flexibility in delivering projects and achieving cost and time savings. | 02/27/2013 Senate Assigned to Transportation | |

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| Subject | Bill | Summary | Status | Agency Position |
|--------------|--------|---|-------------------------|--------------------|
| Motor Fuel | SB2140 | Pamela J. Althoff (R-McHenry) | 02/15/2013 | |
| Tax | | Amends the Motor Fuel Tax law to direct 63 percent of gas tax revenues to | Senate | |
| | | the State Construction Account Fund and 37 percent to the Road Fund. | Referred to Assignments | |
| | | Currently, those shares are reversed. Note that these allotments refer to the | | |
| | | State's portion of MFT revenues; the revenue sharing with local | | |
| | | governments would not be affected. The bill supports the user fees | | |
| | | principle for transportation funding, a hallmark of GO TO 2040. However, | | |
| | | in doing so it may affect IDOT's ability to manage basic operations (e.g. | | |
| | | employee pension contributions), as well as CMAP's own funding source. | | |
| Elgin-O'Hare | HJR9 | Robert Rita (D-Blue Island) | 02/19/2013 | Support |
| | | Authorizes the Tollway to build the Elgin O'Hare expansion and western | House | |
| | | access project. The Toll Highway Act requires a joint resolution of the | Referred to Rules | |
| | | General Assembly before the Tollway can issue bonds for or begin | Committee | |
| | | constructing a new Tollway. The resolution also calls on the Tollway to | | |
| | | minimize environmental impacts, accommodate alternative modes of | | |
| | | transportation, and support the involvement of diverse groups in the | | |
| | | project and broader economic development in the corridor. This joint | | |
| | | resolution is required for the Elgin-O'Hare project to move forward. | | |
| INCREASE C | OMMITM | ENT TO PUBLIC TRANSIT | | |
| RTA | HB140 | Jack D. Franks (D-Woodstock) | 03/01/2013 | |
| Board | | Eliminates compensation and pension benefits for RTA board members. | House | |
| | | | Placed on Calendar 2nd | |
| | | | Reading - Short Debate | |
| RTA Working | HB1389 | Arthur Turner (D-Chicago) | 03/01/2013 | |
| Cash Notes | | Allows the RTA to sell additional Working Cash Notes before July 1, 2016 | House | |
| | | (now 2014) that are over and above and in addition to the \$100,000,000 | Placed on Calendar 2nd | |
| | | authorization. | Reading - Short Debate | |
| RTA Fare | HB2453 | Al Riley (D-Hazel Crest) | 02/20/2013 | |
| Increases | | Requires both the Mass Transit Committee in the House and the | House | |
| | | Transportation Committee in the Senate to hold a public hearing regarding | Referred to Rules | |
| | | any increase in the revenue recovery ratio or any increase in fares or | Committee | |
| | | charges for public transportation. | | |

| Subject | Bill | Summary | Status | Agency Position |
|--------------|-----------|---|--------------------------|--------------------|
| RTA Tax | HB3158 | Al Riley (D-Hazel Crest) | 02/26/2013 | |
| Collection | | Permits a municipality that is not being served or is underserved by the | House | |
| | | RTA to provide for the sequestration of all taxes collected within its | Referred to Rules | |
| | | corporate boundaries under this Section. Provides that taxes sequestered in | Committee | |
| | | this way shall be held in trust by the Illinois Department of Revenue and | | |
| | | shall be paid over to the RTA as the municipality may by resolution provide | | |
| RTA-CMAP | SB1594 | Terry Link (D-Gurnee) | 02/28/2013 | |
| Merger | | Merges CMAP and the RTA. | Senate | |
| | | | Re-assigned to Executive | |
| RTA Veto | SB2387 | Karen McConnaughay (R-South Elgin) | 02/15/2013 | |
| Power | | Gives the RTA Board chairman veto powers over the service board | Senate | |
| | | budgets. | Referred to Assignments | |
| ACHIEVE GI | REATER LI | VABILITY THROUGH LAND USE AND HOUSING | | • |
| Green Energy | HB67 | Lou Lang (D-Skokie) | 01/30/2013 | |
| SSA | | Allows two distinct new authorities: first, Counties or Municipalities may | House | |
| | | create a "green" special service area and levy related taxes; second, the | Assigned to Revenue & | |
| | | Illinois Finance Authority may purchase SSA bonds and accept | Finance Committee | |
| | | assignments or pledges of public or private green SSA projects. Green | | |
| | | projects are any installation, modification, or replacement that reduces | | |
| | | energy consumption in any residential, commercial, or industrial building, | | |
| | | structure, or other facility. | | |
| Affordable | HB2255 | Rep. JoAnn D. Osmond (R-Gurnee) | 02/25/2013 | Support |
| Housing | and | Sen. Terry Link (D-Gurnee) | House | |
| | SB1244 | Companion bills that e establish an Affordable Housing Trust Fund Pilot | Assigned to Housing | |
| | | Program in Lake County. The statute would be expanded to give the Lake | Committee | |
| | | County Board the authority to impose a \$3 recording fee on real estate | and | |
| | | transactions to be deposited in an Affordable Housing Trust Fund. The | 02/28/2013 | |
| | | authority is required because Lake County is not home rule. The Fund may | Senate | |
| | | be utilized for the purpose of providing financial support for affordable | Postponed - Local | |
| | | housing activities that address the housing needs of low-income and | Government | |
| | | moderate-income households as determined by the county board. It | | |

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| Subject | Bill | Summary | Status | Agency Position |
|-----------------|----------|--|------------------------|--------------------|
| | | appears that both capital and administrative expenses related to affordable | | |
| | | housing are eligible. The bills could provide additional funding for | | |
| | | affordable housing in Lake County, and tying funding to housing sales | | |
| | | provides something of a connection between the fee and its use. | | |
| Housing | HB2572 | Thaddeus Jones (D-Calumet City) | 02/21/2013 | |
| Stabilization | | Allows localities to create Local Government Stabilization Authorities that | House | |
| | | shall use available funds to facilitate the return of vacant, abandoned, and | Referred to Rules | |
| | | tax-delinquent properties to productive use. | Committee | |
| Brownfields | HB2940 | William Davis (D-East Hazel Crest) | 02/26/2013 | |
| Redevelopme | | Creates the South Suburban Brownfields Redevelopment Fund and says all | House | |
| nt | | monies in the fund shall be used to cover the costs of acquisition and | Referred to Rules | |
| | | assembly of brownfield properties and their remediation and re-use as part | Committee | |
| | | of a South Suburban Cook County Redevelopment Zone and for | | |
| | | improvements of public infrastructure servicing those properties. | | |
| Property | SB1432 | Jacqueline Y. Collins (D-Chicago) | 02/28/2013 | |
| Rehabilitation | | Provides that property owned by an entity created by county or municipal | Senate | |
| | | ordinance for the purpose of acquiring troubled property and returning it | Postponed - Revenue | |
| | | to productive use is exempt from property taxation. | | |
| MANAGE AN | ID CONSI | ERVE WATER AND ENERGY | | |
| Water and | HB1379 | Brandon W. Phelps (D-Harrisburg) | 02/27/2013 | |
| Sewer Utilities | | Provides an alternative procedure that a large public utility may choose in | House | |
| | | establishing the ratemaking rate base of a water or sewer utility that the | Placed on Calendar 2nd | |
| | | large public utility is acquiring. | Reading - Short Debate | |
| Stormwater | HB1522 | Mike Fortner (R-West Chicago) | 02/28/2013 | Support |
| Management | | Allows DuPage and Peoria counties to impose user fees for stormwater | House | |
| | | management. | Placed on Calendar 2nd | |
| | | | Reading - Short Debate | |
| Fracking | HB2615 | John E. Bradley (D-Marion) | 02/21/2013 | |
| Regulations | | Sets forth rules for hydraulic fracking and puts the DNR in charge of | House | |
| <u> </u> | | fracking permitting and operations. | Referred to Rules | |
| | | | Committee | |

| Subject | Bill | Summary | Status | Agency Position |
|-----------------|--------------|---|---|--------------------|
| MWRD | HB2735 | Dennis M. Reboletti (R-Addison) Requires municipalities within the MWRD service area to charge other municipalities the same price for water as it charges its own residents. | 02/21/2013 House Referred to Rules | |
| | | municipanities the same price for water as it changes its own residents. | Committee | |
| MWRD | SB1691 | Matt Murphy (R-Palatine) | 02/27/2013 | |
| | | Expands the corporate limits of the MWRD. | Senate | |
| | | | Assigned to Local | |
| E1/D.1.1.D.1.1. | 'D 11 (DD 0) | LINE DARKS AND OPEN OR OF | Government | |
| | | VE PARKS AND OPEN SPACE | 00/10/0010 | 1 |
| Preservation | HB1037 | Michael W. Tryon (R-Crystal Lake) | 02/13/2013 House | |
| | | Allows Boone, DeKalb, DuPage, Grundy, Kane, Kankakee, Kendall, Lake, McHenry, and Will county to levy an annual tax for farmland preservation | Assigned to Counties & | |
| | | easement and to make grants to local governments to support "green | Townships Committee | |
| | | redevelopment". The tax may not exceed 0.05% of the equalized assessed | 10WilShips Committee | |
| | | value of taxable property in the county. Provides that the tax must be | | |
| | | approved by referendum. Eligible "green redevelopment" projects include | | |
| | | stormwater BMPs on developed sites, brownfield remediation, and projects | | |
| | | to enhance groundwater infiltration. | | |
| Land Grants | SB1341 | Kimberly A. Lightford (D-Maywood) | 02/27/2013 | Support |
| | | Current Open Space Lands Acquisition and Development (OSLAD) grant | Senate | |
| | | match requirement is 50%; this legislation reduces it to 10% for | Placed on Calendar Order | |
| | | communities that are distressed (defined in rules to be promulgated by | of 2nd Reading | |
| | | IDNR). This bill directly carries out the GO TO 2040 recommendation to make open space land acquisition and development match requirements | | |
| | | more equitable. | | |
| Millennium | EO1303 | Gov. Pat Quinn | 03/01/2013 | |
| Reserve | | Creates the Steering Committee for the Millennium Reserve: Calumet Core | Senate | |
| | | Initiative to serve as a central governing body which includes a CMAP | Filed with the Secretary of | |
| | | representative. Creates the Millennium Reserve State Agency Task Force to | State | |
| | | inform and consider the priorities and specific actions and initiatives of the | | |
| | | Steering Committee for the Millennium Reserve. | | |

| Subject | Bill | Summary | Status | Agency Position |
|------------|----------|--|-------------------|--------------------|
| IMPROVE AC | CCESS TO | INFORMATION | | |
| Public | HB3199 | Al Riley (D-Hazel Crest) | 02/26/2013 | |
| Hearing | | Requires the Commission on Government Forecasting and Accountability | House | |
| | | to hold a public hearing within 30 days after the Governor's Budget | Referred to Rules | |
| | | Address to the General Assembly to consider CMAP's annual report and its | Committee | |
| | | impact on the State budget. | | |

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